

1 District Judge Barbara J. Rothstein  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

7 F.C.,

8 Plaintiff,

9 v.

10 United States Department of Homeland  
11 Security, *et al.*,

12 Defendants.

No. 2:23-cv-1800-BJR

STIPULATED MOTION TO HOLD  
CASE IN ABEYANCE AND ORDER

13 Plaintiff brought this litigation pursuant to the Administrative Procedure Act and the  
14 Mandamus Act seeking an order from this Court compelling the U.S. Citizenship and Immigration  
15 Services (“USCIS”) to adjudicate her Form I-589, Application for Asylum and for Withholding of  
16 Removal. The parties are currently working towards a resolution to this litigation. For good cause,  
17 the parties request that the Court hold the case in abeyance until April 22, 2024.

18 Courts have “broad discretion” to stay proceedings. *Clinton v. Jones*, 520 U.S. 681, 706  
19 (1997). “[T]he power to stay proceedings is incidental to the power inherent in every court to  
20 control the disposition of the causes on its docket with economy of time and effort for itself, for  
21 counsel, and for litigants.” *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *see also* Fed. R. Civ.

22 P. 1.

1 With additional time, this case may be resolved without the need of further judicial  
2 intervention. USCIS has scheduled Plaintiff's asylum interview for January 23, 2024. Plaintiff  
3 agrees to submit all supplemental documents and evidence, if any, to USCIS seven to ten days  
4 prior to the interview date. Plaintiff recognizes that failure to submit documents prior to the  
5 interview may require the interview to be rescheduled and the adjudication delayed. If needed,  
6 Plaintiff will bring an interpreter to the interview, otherwise the interview will need to be  
7 rescheduled and the adjudication delayed. USCIS agrees to work diligently towards completing  
8 the adjudication within 90 days after the interview but may not be able to fully adjudicate the  
9 application within that time. However, if Plaintiff's asylum application is not adjudicated within  
10 that time, USCIS will submit a status report to this Court. If Defendants promptly adjudicate  
11 Plaintiff's asylum application without the need for intervention by this Court, then Plaintiff will  
12 dismiss the case with each party to bear their own litigation costs and attorneys' fees. Accordingly,  
13 the parties request this abeyance to allow USCIS to conduct Plaintiff's asylum interview and then  
14 continue to process her asylum application.

15 As additional time is necessary for this to occur, the parties request that the Court hold the  
16 case in abeyance until April 22, 2024. The parties will submit a joint status report on or before  
17 April 22, 2024.

18 | Dated: January 5, 2024

Respectfully submitted,

TESSA M. GORMAN  
Acting United States Attorney

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3 Attorneys for Defendants

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5 ***I certify that this memorandum contains  
6 371 words, in compliance with the Local  
7 Civil Rules.***

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s/Christopher Strawn  
CHRISTOPHER STRAWN, WSBA #32243  
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Attorneys for Plaintiff

## ORDER

The case is held in abeyance until April 22, 2024. The parties shall submit a joint status report on or before April 22, 2024. It is so **ORDERED**.

DATED this 8th day of January 2024.

Barbara Rothstein

BARBARA J. ROTHSTEIN  
United States District Judge